



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,098	03/01/2002	G. Eric Engstrom	109909-129542	1975

25943 7590 02/18/2003

SCHWABE, WILLIAMSON & WYATT, P.C.  
PACWEST CENTER, SUITES 1600-1900  
1211 SW FIFTH AVENUE  
PORTLAND, OR 97204

EXAMINER

WEST, LEWIS G

ART UNIT PAPER NUMBER

2681

DATE MAILED: 02/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/087,098

Applicant(s)

ENGSTROM ET AL.

10

Examiner

Lewis G. West

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 60-79 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 60-79 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Response to Arguments***

1. Applicant's arguments with respect to claims 60-79 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 60-66, 68-79 are rejected under 35 U.S.C. 102(e) as being anticipated by Wycherley et al (US 2002/0030103).

Regarding claim 60, Wycherley discloses a mobile phone comprising: a body including a processor to execute one or more programming instructions; an interchangeable cover to mate with the body, covering at least a portion of the body (0015-0016), with the interchangeable cover having an exterior surface non-functionally decorated to provide the mobile phone with one or more visually perceivable attributes of a non-functional theme (0011,0016); an electronic component embedded within the interchangeable cover (0017), and having data stored therein for customizing functions of the mobile phone to operate with characteristics complementary to the visually perceivable attributes of the non-functional theme provided by the non-functional decorations of the exterior surface of the interchangeable cover to jointly effectuate the non-functional theme (0011,0018); and first and second contacting means correspondingly disposed

Art Unit: 2681

on the body and the interchangeable cover to facilitate provision of the data stored within the electronic component of the interchangeable cover to the processor of the body (0017). (Figure 1, Paragraphs 0004-0011, 0015-0030)

Regarding claim 61, Wycherley discloses the mobile phone of claim 60, wherein the electronic component of the interchangeable cover comprises data identifying to the processor of the body, which group of a plurality of interchangeable covering groups the corresponding interchangeable cover is a member of, each interchangeable covering group having a non-functional theme. (Paragraphs 0006, 0018)

Regarding claim 62, the mobile phone of claim 60, wherein the interchangeable cover is a faceplate covering at least a portion of a front exterior surface of the body. (Figure 1, 0004)

Regarding claim 63, Wycherley discloses the mobile phone of claim 60, wherein the interchangeable cover is a an interchangeable skin covering at least a portion of each of a plurality of exterior surfaces of the body disposed on different geometric planes. (Figure 1, Paragraphs 0004-0011, 0015-0030)

Regarding claim 64, Wycherley discloses the mobile phone of claim 60, wherein said interchangeable cover and said body comprises a contactless coupler and a contactless coupler interface respectively. (0035)

Regarding claim 65, Wycherley discloses the mobile phone of claim 60, wherein the data comprises at least one of a phone number, a resource server specification, an email address, an electronic coupon, a font style, an identifier identifying the interchangeable cover, and an approval code. (Paragraphs 0006, 0018)

Regarding claim 66, Wycherley discloses the mobile phone of claim 60, wherein the data comprises a selected one of a pointer to an audio data file and a audio data file, where the audio data file complements the visually perceivable attributes of the non-functional theme provided by the non-functional decorations of the exterior surface of the interchangeable cover. (0019-0030)

Regarding claim 68, Wycherley discloses the mobile phone of claim 66, wherein the audio data file facilitates modification of ring tones of the mobile phone to ring tones that are complementary to the visually perceivable attributes of the non-functional theme provided by the nonfunctional decorations of the exterior surface of the interchangeable cover. (0019-0030)

Regarding claim 69, Wycherley discloses the mobile phone of claim 60, wherein the data comprises at least a selected one of a pointer to a screen saver, a pointer to a video data file, a screen saver and a video data file, where the screen saver/video data file is complementary to the visually perceivable attributes of the non-functional theme provided by the nonfunctional decorations of the exterior surface of the interchangeable cover. (0019-0030)

Regarding claim 70, Wycherley discloses a mobile phone comprising: a body portion including a processor to execute one or more programming instructions (0018), the body portion having a first plurality of exterior surfaces disposed on a first plurality of geometric planes (Figures 1-2); an interchangeable cover portion having an electronic component embedded therein, said electronic component containing data for modifying functionalities of the mobile phone, and the interchange cover having a second plurality of surfaces disposed on a second plurality of geometric planes covering at least a portion of each of at least two of said first plurality of exterior surfaces of the body portion (Figures 1-2); and an interface to facilitate provision of the data from the electronic component embedded in the interchangeable cover to

Art Unit: 2681

the processor of the body portion to modify functionalities of the mobile phone. (Figure 1, Paragraphs 0011, 17-18)

Regarding claim 71, Wycherley discloses the mobile phone of claim 70, wherein the electronic component identifies to the body portion, which group of a plurality of interchangeable covering groups the corresponding interchangeable cover is a member of. (Paragraphs 0006, 0017-0018)

Regarding claim 72, Wycherley discloses the mobile phone of claim 70, wherein the first plurality of exterior surfaces of body portion comprise at least an exterior front surface, an exterior back surface, and a plurality of exterior end surfaces, and the interchangeable cover comprises at least two surfaces covering at least a portion of one of the exterior front and back surfaces and at least a portion of one of the end surfaces of body portion. (Figure 1, Paragraphs 0004-0011, 0015-0018)

Regarding claim 73, Wycherley discloses the mobile phone of claim 70, wherein the first plurality of exterior surfaces of body portion comprise at least an exterior front surface, an exterior back surface, and a plurality of exterior side surfaces, and the interchangeable cover comprises at least two surfaces covering at least a portion of one of the exterior front and back surfaces and at least a portion of one of the side surfaces of body portion. (Figure 1, Paragraphs 0004-0011, 0015-0018)

Regarding claim 74, Wycherley discloses the mobile phone of claim 73, wherein the data comprises at least one of a pointer to audio data file, a pointer to a video data file, a pointer to graphics data file, a pointer to a text data file, a pointer to a mixed media file, an audio data file,

Art Unit: 2681

a video data file, a graphics data file, a text data file, and a mixed media file. (Paragraphs 0006, 0018)

Regarding claim 75, Wycherley discloses a mobile phone comprising: a body to house a plurality of components of the mobile phone including a contactless coupler interface; and an interchangeable cover to mate with the body, including an electronic component embedded in the cover (Paragraph 0017), having data encoded therein and a contactless coupler (0018), to facilitate coupling with the contactless coupler interface of the body and provision of the data from the electronic component to one of the components housed by the body to modify functionalities of the mobile phone.(0018, 0035)

Regarding claim 76, Wycherley discloses the mobile phone of claim 75, wherein the electronic component of the interchangeable cover comprises data identifying to the body, which group of a plurality of interchangeable covers groups the corresponding interchangeable cover is a member of. (Paragraphs 0006, 0018)

Regarding claim 77, Wycherley discloses the mobile phone of claim 76, wherein the interchangeable cover is a faceplate covering at least a portion of a front exterior surface of the body. (Figure 1, Paragraphs 0004-0011, 0015-0018)

Regarding claim 78, Wycherley discloses the mobile phone of claim 75, wherein the interchangeable covering is an interchangeable skin covering at least a portion of each of a plurality of exterior surfaces of the body disposed on different geometric planes. (Figure 1, Paragraphs 0004-0011, 0015-0018)

Regarding claim 79, Wycherley discloses the mobile phone of claim 78, wherein the data exchanged comprises at least one of a pointer to audio data file, a pointer to a video data file, a

Art Unit: 2681

pointer to graphics data file, a pointer to a text data file, a pointer to a mixed media file, an audio data file, a video data file, a graphics data file, a text data file, and a mixed media file.

(Paragraphs 0006, 0018)

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 67 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wycherley.

Regarding claim 67, Wycherley discloses the mobile phone of claim 66, wherein the audio data file facilitates modification of audio of the mobile phone to audio that is complementary to the visually perceivable attributes of the non-functional theme provided by the non-functional decorations of the exterior surface of the interchangeable cover. (0017-0030)

Wycherley does not expressly disclose the changing of a voice greeting. Examiner takes official notice that is notoriously well known in the art that voice greetings are a type of audio used in a portable phone that may be changed. It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to change a voice greeting when a cover is changed to reflect the other changes in visual and aural attributes changed by the cover.



Art Unit: 2681

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wycherley (US 2002/007738 A1) and Kaartinen (GB 2362071 A) are cited as also disclosing most of applicant's features as claimed.

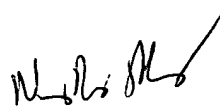
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 703-308-9298. The examiner can normally be reached on Monday-Thursday 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 703-305-4778. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.



Lewis West  
(703) 308-9298  
February 10, 2003



**NAY MAUNG**  
**PRIMARY EXAMINER**